



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of: )  
Knobbe et al. ) Group Art Unit: 3621  
Application No. 09/764,807 ) Examiner: Cangialosi, S.  
Filed: 1/16/2001 ) Date: September 15, 2004  
For: METHOD AND APPARATUS )  
FOR PASSIVELY CALCULATING )  
LATENCY FOR A NETWORK )  
APPLIANCE )

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on September 15, 2004.

Signed:   
Erica L. Farlow

Issue Fee Payment Transmittal

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

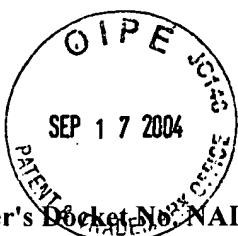
Transmitted herewith are the following items:

- 1) Part B- Issue Fee Transmittal
- 2) Notification of Loss of Status as Small Entity
- 3) Copy of the Previously Submitted Notification of Error in Payment of Fee(s) as a Small Entity with a copy of the Return Receipt Postcard
- 4) Check No. 2280 for \$1,630.00
- 5) Return Postcard

Respectfully submitted,  
Zilka-Kotab, PC

Kevin J. Zilka  
Reg. No. 41,429

P.O. Box 721120  
San Jose, CA 95172-1120  
(408) 971-2573



Practitioner's Docket No. NAI1P070/99.067.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Knobbe et al.

Application No.: 09/764,807

Group No.: 3621

Filed: 01/16/01

Examiner: Cangialosi, S.

For: METHOD AND APPARATUS FOR PASSIVELY CALCULATING LATENCY FOR A  
NETWORK APPLIANCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTIFICATION OF LOSS OF STATUS AS SMALL ENTITY**  
(37 C.F.R. § 1.27(g)(2))

Applicant asserted small entity status in this application on January 16, 2001 by filing a statement and by paying small entity fees.

On March 18, 2002, Applicant filed Notification of Error in Payment of Fee(s) as a Small Entity paperwork. A copy of this paperwork is attached.

---

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)  
 with sufficient postage as first class mail.

37 C.F.R. § 1.10\*  
as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

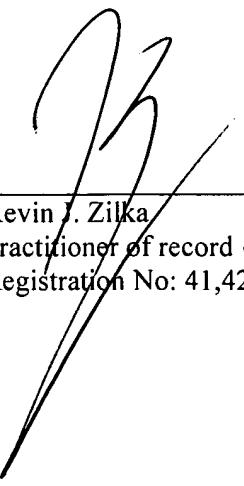
Date: 9/15/2004

Erica L. Farlow

*(type or print name of person certifying)*

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Date: 9/15/04

  
Kevin J. Zilka  
Practitioner of record § 34(b)  
Registration No: 41,429

Zilka-Kotab, PC  
P.O. Box 721120  
San Jose, CA 95172-1120  
USA

Tel. No.: 408-971-4660  
Reg. No.: 41,429



COPY

PATENT POSTCARD

Docket No. **NAI1P070**

Appln. No. **09/764,807**

Date **3/18/2002**

By: **KJZ:Elm**

Filing Date: **1/16/2001**

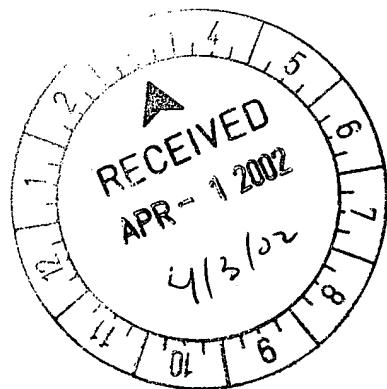
Express Mail No.:

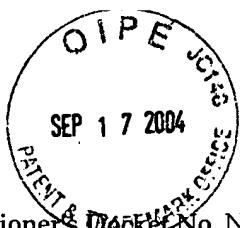
Inventor(s): **KNOBBE ET AL.**

Title: **METHOD AND APPARATUS FOR PASSIVELY CALCULATING  
LATENCY FOR A NETWORK APPLIANCE**

The following has been received in the U.S. Patent & Trademark Office on the date stamped below:

- Notification of Error in Payment of Fee as a Small Entity  
Under 37 C.F.R. section 1.28(c)
- Check no. 963 for \$475.00 to complete the filing fees
- Return Postcard





# COPY

Practitioner's Decke No. NAI1P070/99.067.01

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Roger Knobbe et al.

Application No.: 09/764,807

Group No.: 2661

Filed: 01/16/01

Examiner: Unassigned

For: METHOD AND APPARATUS FOR PASSIVELY CALCULATING LATENCY FOR A NETWORK APPLIANCE

Commissioner for Patents  
Washington, D.C. 20231

### NOTIFICATION OF ERROR IN PAYMENT OF FEE(S) AS A SMALL ENTITY (37 C.F.R. section 1.28(c)) Filing of Small Entity Statement

1. On January 16, 2001, a statement claiming small entity status was made in this application.

#### Payment of Fee(s) as Small Entity

2. The filing fee was paid on January 16, 2001.

#### Error

3. The error in the payment of fee(s) as a small entity was as follows:  
Small entity status was claimed in error.

#### Fee Payment for Deficiency

---

#### CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. section 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

##### MAILING



deposited with the United States Postal Service  
with sufficient postage as first class mail in an  
envelope addressed to the Commissioner for  
Patents, Washington, D.C. 20231.

##### FACSIMILE



transmitted by facsimile to the Patent and  
Trademark Office.

  
Signature

Date: March 18, 2002

Erica L. Mann  
(type or print name of person certifying)

4. Payment is attached for the sum of \$ 475.00, for the deficiency between the amount of fee(s) paid and the amount due.

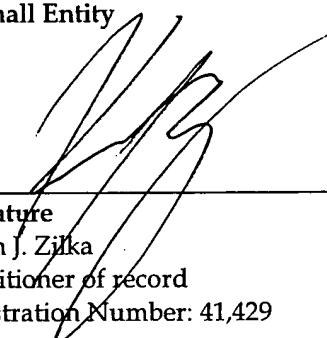
**Fee Payment**

5. Attached is a check in the amount of \$475.00. Please charge Account 50-1351 (Order NAI1P070) for any fee deficiency.

**Further Status as Small Entity**

Status as a small entity is hereby withdrawn.

Date: 6/18/02

  
Signature  
Kevin J. Zilka  
Practitioner of record  
Registration Number: 41,429

Silicon Valley IP Group  
P.O. Box 721120  
San Jose, CA 95172-1120

Tel. No.: 408-971-2573  
Reg. No.: 41,429